

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**UNITED STATES OF AMERICA and
D.J. BENNETT, Revenue Officer,**

Petitioners,

v.

SERGIO RODRIGUEZ,

Respondent.

No. C-06-4413-PJH

**[proposed]
ORDER TO SHOW CAUSE
RE: CONTEMPT**

Good cause having been shown by the United States upon its Application For Entry of Order To Show Cause Re: Contempt, and the Declaration of Revenue Officer Sara Bentley, it is hereby

ORDERED that respondent appear in person before this Court on the 31st day of February 7th 2007, at 9 a.m., in Courtroom No. 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California, and then and there show cause, if any he has, why he should not be held in contempt for his failure to comply with the Order Enforcing Summons filed September 20, 2006; and it is further

ORDERED that a certified copy of this Order to Show Cause Re: Contempt be served upon said respondent in accordance with Rule 4(c)(2)(C) of the Federal Rules of Civil Procedures at least thirty-five (35) days before the return date of this Order above specified; and it is further

1 **ORDERED** that within twenty-eight (28) days before the return date of this Order, the
2 respondent may file and serve a written response to the Order To Show Cause Re: Contempt,
3 supported by appropriate affidavit(s) or declaration(s) in conformance with 28 U.S.C. Subsection
4 1746, as well as any motions he desires to make; that the petitioner may file and serve a written
5 reply to such response, if any, within fourteen (14) days before the return date of this Order; that
6 all motions and issues raised by the pleadings will be considered on the return date of this Order,
7 and only those issues raised by motion or brought into controversy by the responsive pleadings
8 and supported by affidavit(s) or declaration(s) will be considered at the return of this Order.

9 **ORDERED** this 1st day of December, 2006, at San Francisco,
10 California.



CERTIFICATE OF SERVICE

I, **KATHY TAT** declare:

That I am a citizen of the United States of America and employed in San Francisco County, California; that my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen years, and am not a party to the above-entitled action.

I am employed by the United States Attorney for the Northern District of California and discretion to be competent to serve papers. The undersigned further certifies that I caused a copy of the following:

[Proposed] ORDER TO SHOW CAUSE RE: CONTEMPT

to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed envelope, and served as follows:

 X **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

 PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)

 FACSIMILE (FAX) No.: _____

to the parties addressed as follows:

Sergio Rodriguez

3220 Lakeshore Blvd.

Lakeport, CA 95453

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on **November 29, 2006** at San Francisco, California.

/s/ Kathy Tat

KATHY TAT
Legal Assistant